

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ANDRE WILSON, individually and on behalf of others who are similarly situated,)	
)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-24-853-G
)	
CITY OF LAWTON, OKLAHOMA, et al.,)	
)	
)	
Defendants.)	

ORDER

Now before the Court is Defendants’ Joint Motion to Strike (Doc. No. 24) a document filed by Plaintiff Andre Wilson titled “Second Verified Amended Complaint” (Doc. No. 23). As Defendants argue, the document appears to be an attempt by Plaintiff to amend the operative pleading. Defendants ask that the document be stricken because Plaintiff failed to seek leave of Court to amend as required by the Rule 15 of the Federal Rules of Civil Procedure.

Pursuant to Rule 15, as relevant here “ a party may amend its pleading only with the opposing party’s written consent or the court’s leave.” Fed. R. Civ. P. 15(a)(2). Plaintiff failed to obtain Defendants’ consent or leave of the Court prior to filing this document. “Because [Plaintiff’s] amended [pleading] was not properly filed pursuant to Rule 15, it ha[s] no legal effect and d[oes] not supersede” the Amended Complaint (Doc. No. 3). *Murray v. Archambo*, 132 F.3d 609, 612 (10th Cir. 1998).

Defendants' Joint Motion to Strike (Doc. No. 24) therefore is GRANTED. The "Second Verified Amended Complaint" (Doc. No. 23) is hereby STRICKEN from the case record.

IT IS SO ORDERED this 13th day of March, 2025.



CHARLES B. GOODWIN
United States District Judge